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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/723,617	11/25/2003	Christopher Stewart	PD-203076	1077

20991 7590 12/28/2004

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PATENT DOCKET ADMINISTRATION RE/R11/A109
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EXAMINER

PAIK, STEVE S

ART UNIT PAPER NUMBER

2876

DATE MAILED: 12/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/723,617

Applicant(s)

STEWART, CHRISTOPHER

Examiner

Steven S. Paik

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 November 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Priority

1. Receipt is acknowledged of claiming the benefit under 35 U.S.C. 119(e) of United States provisional application, 60/503,911 filed on September 18, 2003.

Specification

2. The disclosure is objected to because of the following informalities: The continuation data should be inserted between the title of the invention and the first line of the Specification. Appropriate correction is required.

Claim Objections

3. Claim 2 is objected to because of the following informalities: the phrase, "capable of" in line 1 appears to be indefinitely claiming the invention. It is respectfully suggested to replace it with -- for --. Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless--

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by Korsunsky et al. (US 5,936,222).

Re claim 1, Korsunsky et al. disclose a smart card reader (10 or 110) for usage with a smart card to reduce card abrasion (col. 2, ll. 8-13; col. 4, ll. 55-59) comprising:

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a receptacle (Fig. 1), where the receptacle includes at least one open side (a card insertion opening 18);

at least one placement tab (46 and 48), where the at least one placement tab extends into the receptacle (col. 3, ll. 19-23) and secures the placement of the smart card (60) in the receptacle; and

a plurality of contacts (22 and 23) residing within the receptacle where the plurality of contacts connects to a smart chip within the smart card upon placement of the smart card in the receptacle (col. 3, ll. 11-18).

Re claim 2, Korsunsky et al. disclose the smart card reader as recited in rejected claim 1 stated above, wherein the plurality of contacts (22, 23) is capable of resiliently contacting a smart chip on a smart card (col. 3, ll. 11-18; col. 4, ll. 18-32).

Re claim 3, Korsunsky et al. disclose the smart card reader as recited in rejected claim 1 stated above, further comprising:

a contact plate (contact receiving area 32) within the receptacle of the card reader that includes the plurality of contacts (22, 23); and

a plurality of electrical leads from the contact plate (col. 3, ll. 8-10).

6. Claims 4-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Sugimoto (US 5,729,000).

Re claim 4, Sugimoto discloses an IC card reader (2) for usage with a smart card to reduce card abrasion (col. 4, ll. 35-61) comprising:

a receptacle (a container having a space for receiving an IC card comprising a lower cover 10 and an upper cover 20), where the receptacle includes at least one open side (22);

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a receptacle lip (Fig. 3) extending around three sides of said receptacle and securing the placement of the smart card (IC card 1) in the receptacle; and

a plurality of contacts (card connector 31 is installed at a position opposing to the external terminal 1a (a plurality of contact pads shown in Fig. 2) of the IC card 1) residing within the receptacle where the plurality of contacts connects to a smart chip within the smart card upon placement of the smart card in the receptacle (Fig. 2 and 3; col. 4, ll. 25-61).

Re claim 5, Sugimoto discloses the IC card reader as recited in rejected claim 4 stated above, wherein said receptacle lip resiliently maintains the smart card in contact with the plurality of contacts (Fig. 2 and 3; col. 4, ll. 25-61).

Method claim 6 is essentially the same in scope as apparatus claim 4 and is rejected similarly.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Lee (US 5,331,139) discloses a card reader that comprises an anti-abrasion member for minimizing the card contact abrasion; Masuzawa et al. (US 5,015,830) discloses an electronic card reading apparatus for reading data stored in an electronic card.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven S. Paik whose telephone number is 571-272-2404. The examiner can normally be reached on Mon - Fri (5:30am-2:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on 571-272-2398. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Steven S. Paik
Primary Examiner
Art Unit 2876

ssp